

GI 5182A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rodney M. Hewick et al  
Serial No.: 07/800,364  
Filed : November 26, 1991  
For : BONE AND CARTILAGE INDUCTIVE PROTEINS

January 24, 1992

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION UNDER 37 C.F.R. 1.53(d)

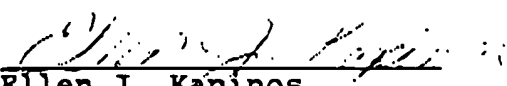
Sir:

In response to a Notice to File Missing Parts of Application under 37 C.F.R. Section 1.53(d) issued in connection with the above-identified application on January 6, 1992, Applicants hereby submit their Declaration and Power of Attorney pursuant to 37 C.F.R. Section 1.63.

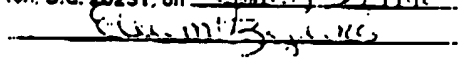
The Declaration refers to the application's above-identified serial number and filing date. As indicated in the Notice, the deadline for submitting the Declaration is February 6, 1992.

Authorization is hereby given to charge the \$120 (One-hundred twenty dollar) surcharge under 37 C.F.R. Section 1.16(e) and any additional fees which may be required in this regard, and to credit any overpayment to Deposit Account No. 07-1060. Two duplicate copies of this letter are enclosed.

Respectfully submitted,

  
Ellen J. Kapinos  
Registration No. 32,245  
Genetics Institute, Inc.  
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I hereby certify that this correspondence is being deposited with the United States Postal Service in first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231, on January 29, 1992



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 missioner of Patents and Trademarks, Washing-  
 ton, D.C. 20231, on January 24, 1992

Docket No. GI 5182

## Declaration and Power of Attorney

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am ~~the original, first and sole inventor (if only one name is listed below) or~~  
 an original, first and joint inventor (if plural names are listed below) of the subject  
 matter which is claimed and for which a patent is sought on the invention entitled:

BONE AND CARTILAGE INDUCTIVE PROTEINS

the specification of which: \_\_\_\_\_ is attached hereto.

X was filed on 11/26/91 as

Application Serial No. 07/800,364

and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified  
 specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material  
 to the examination of this application in accordance with Title 37, Code of Federal  
 Regulations, section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, section 119  
 of any foreign application(s) for patent or inventor's certificate listed below and have  
 also identified below any foreign application for patent or inventor's certificate having  
 a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed</u> <u>Yes/No</u>
PCT/US91/03388	designated:	15 May 1991	Yes

I hereby claim the benefit under Title 35, United States Code, section 120 of any United  
 States Application(s) listed below and, insofar as the subject matter of each of the  
 claims of this application is not disclosed in the prior United States application in the  
 manner provided by the first paragraph of Title 35, United States Code, section 112, I  
 acknowledge the duty to disclose material information as defined in Title 37, Code of  
 Federal Regulations, section 1.56(a) which occurred between the filing date of the prior  
 application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
07/525,357	16 May 1990	Pending
07/641,204	15 January 1991	Pending

\*Austria, Belgium, Switzerland and Liechtenstein, Germany, France, United Kingdom,  
 Italy, Luxembourg, Netherlands, Sweden, Denmark, Spain, Greece, Japan, and Canada

Declaration and Power of Attorney  
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I hereby appoint the following attorneys to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith, to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty and to act on my behalf before the competent International Authorities: Bruce M. Eisen, Reg. No. 22,847; Thomas J. DesRosier, Reg. No. 30,168; Luann Cserr, Reg. No. 31,822; Ellen J. Kapinos, Reg. No. 32,245; and Patricia McDaniels, Reg. No. 33,194.

Address all correspondence to Legal Affairs Department, Genetics Institute, Inc., 87 CambridgePark Drive, Cambridge, MA 02140. Telephone number: 617-876-1170.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of the Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Rodney M. Hewick

Inventor's signature *Rodney M. Hewick*

Citizenship GB Date: 1/24/92 Residence: 16 Woodcliffe Road  
Lexington, MA 02173  
USA

Post Office address (if different) \_\_\_\_\_

Full name of second joint inventor: Jack H. Wang

Inventor's signature *Jack H. Wang*

Citizenship US Date: 1/24/92 Residence: 522 Lowell Street  
Lexington, MA 02173  
USA

Post Office address (if different) \_\_\_\_\_

Full name of third joint inventor: John M. Wozney

Inventor's signature: *John M. Wozney*

Citizenship US Date: 1/24/92 Residence: 59 Old Bolton Road  
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USA

Post office address (if different) \_\_\_\_\_

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Full name of fourth joint inventor Anthony J. Celeste

Inventor's signature

Anthony J. CelesteCitizenship USDate 1/24/92Residence 86 Packard St., Hudson, MA 01749 USAPost Office Address (if different) \_\_\_\_\_  
\_\_\_\_\_

Full name of fifth joint inventor \_\_\_\_\_

Inventor's signature \_\_\_\_\_

Citizenship \_\_\_\_\_

Date \_\_\_\_\_

Residence \_\_\_\_\_

Post Office Address (if different) \_\_\_\_\_  
\_\_\_\_\_

Full name of sixth joint inventor \_\_\_\_\_

Inventor's signature \_\_\_\_\_

Citizenship \_\_\_\_\_

Date \_\_\_\_\_

Residence \_\_\_\_\_

Post Office Address (if different) \_\_\_\_\_  
\_\_\_\_\_

## PATENT

Serial No. C/600,311 Doc. No. 5162A Atty/Sec EC/EE Date 1/24/92Inventor Rudney M. Hewick et alTitle Bone + Cartilage Inductive Proteins

The following has been received in the U.S. Patent and Trademark Office on the date specified hereon:

<input checked="" type="checkbox"/> <u>3</u> pp. Spec., <u>1</u> Claim, <u>1</u> Abstract	<input type="checkbox"/> pp. Amendment <u>1</u> and
<input type="checkbox"/> pp. Declaration/Power of Attorney	<input type="checkbox"/> pp. Response: <u>087</u>
<input type="checkbox"/> pp. Verified Statement (Small Entity)	<input type="checkbox"/> pp. Transmittal <u>1992</u>
<input type="checkbox"/> shts. Informal Drawings	<input type="checkbox"/> Issue Fee
<input type="checkbox"/> shts. Formal Drawings	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> pp. Assignment	<input type="checkbox"/> Check #
<input type="checkbox"/> pp. Preliminary Amendment	<input checked="" type="checkbox"/> Transmitted letter in
<input type="checkbox"/> pp. Extension of Time	<input type="checkbox"/> <u>triplicate</u>
<input type="checkbox"/> pp. Information Disclosure Statement	<input checked="" type="checkbox"/> Copy of <u>Ad Due To File Missing</u>
with PTO-1489 and <u>1</u> references	<u>Pacts</u>

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card and place it in the outgoing mail

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Respectfully,  
Genetics Institute, Inc.